

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL L. FERGUSON,	:	CIVIL ACTION NO.
MYRL C. JEFFCOAT and	:	1:17-cv-06685-ALC
DEBORAH SMITH, on behalf of the	:	
DST SYSTEMS, INC. 401(K) PROFIT	:	
SHARING PLAN,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
RUANE CUNNIFF & GOLDFARB INC.;	:	
DST SYSTEMS, INC.; THE ADVISORY	:	
COMMITTEE OF THE DST SYSTEMS, INC.	:	
401(K) PROFIT SHARING PLAN and THE	:	
COMPENSATION COMMITTEE OF THE	:	
BOARD OF DIRECTORS OF DST SYSTEMS,	:	
INC.,	:	
	:	
Defendants.	:	

JOINT STATUS REPORT

Plaintiffs, Michael L. Ferguson, Myrl C. Jeffcoat and Deborah Smith (“Plaintiffs”), Defendant, Ruane, Cunniff & Goldfarb, Inc. (“Ruane”), and Defendants, DST Systems, Inc. (“DST”), the Advisory Committee of the DST 401(k) Profit Sharing Plan (the “Advisory Committee”), and the Compensation Committee of the Board of Directors of DST (the “Compensation Committee”)(collectively, the “DST Defendants”), respectfully submit this Joint Status Report.

As the parties reported on January 10, 2018, May 9, 2018 and July 10, 2018, Plaintiffs, Ruane and the DST Defendants have engaged in previous settlement discussions and mediation sessions with David Geronemus, Esquire of JAMS in an effort to resolve this complex dispute.

Although the parties will continue to engage in discussions and are hopeful that an amicable resolution can be reached in the future with the participation of the United States Department of Labor, which is acting under a joint cooperation agreement with Plaintiffs, they have not been successful in reaching a resolution at this time. The parties jointly request that the Court schedule a status conference.

Dated: September 27, 2018

Respectfully submitted,

SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP

/s/ Laurie Rubinow (LR 6637)

James E. Miller
Laurie Rubinow
65 Main Street
Chester, CT 06412
Telephone: (860) 526-1100
Email: jmiller@sfmslaw.com
lrbabinow@sfmslaw.com

Ronald S. Kravitz
Kolin C. Tang
SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP
Filbert Landing
201 Filbert Street, Suite 201
San Francisco, CA 94111
Telephone: (415) 429-5272
Facsimile: (866) 300-7367
Email: rkravitz@sfmslaw.com
ktang@sfmslaw.com

Chiharu G. Sekino
SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP
401 West A Street, Suite 2550
San Diego, CA 92101
Telephone: 619-235-2416
Facsimile: (866) 300-7367
Email: csekino@sfmslaw.com

Monique Olivier
Olivier, Schreiber & Chao LLP
201 Filbert Street, No. 201
San Francisco, CA 94104
Telephone: (415) 484-0980
Email: monique@osclegal.com

Attorneys for Plaintiffs

Dated: September 27, 2018

/s/ Robert J. Ward
Robert J. Ward
Ronald E. Richman
Frank W. Olander
Schulte Roth & Zabel LLP (NY)
919 Third Avenue
New York, NY 10022
Telephone: (212) 756-2000
Email: robert.ward@srz.com
ronald.richman@srz.com
frank.olander@srz.com

*Attorneys for Defendant,
Ruane Cunniff & Goldfarb, Inc.*

Dated: September 27, 2018

/s/ Michael S. Hines
James R. Carroll
Michael S. Hines
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
& Flom LLP
500 Boylston Street
Boston, Massachusetts 02116-3740

(617) 573-4800
james.carroll@skadden.com
michael.hines@skadden.com

Scott D. Musoff
Alexander C. Drylewski
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
(212) 735-3000
scott.musoff@skadden.com
alexander.drylewski@skadden.com

*Attorneys for Defendants, DST Systems, Inc., The
Advisory Committee of the DST Systems, Inc.
401(k) Profit Sharing Plan and The Compensation
Committee of the Board of Directors of DST
Systems, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2018, a true and correct copy of the foregoing Joint Status Report was served by electronic mail on all counsel of record.

/s/Laurie Rubinow

Laurie Rubinow
SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP